

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, April 12, 2016

AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Merilee Walker Councilperson, Bill Mann Councilperson, Mike Hillier Councilperson, James Forrester Councilperson, Doris Marsh
	RECORDING CLERK	Cheyenne DeMarco
	PERSONNEL	CEO, Mark Mullikin Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Brian Knapp
	VISITORS	Bob Cox, Tim Cassidy, Steve Gelser, Alex Pierce, Darren Snyder

CALL TO ORDER Supervisor Walker called the meeting to order at 7:03 PM. Roll call was taken with all council members present.

PLEDGE TO THE FLAG All persons stood as Councilperson, Jim Forrester led the pledge.

WELCOMED VISITORS Supervisor Walker welcomed visitors.

APPROVAL OF MINUTES A motion was made to approve the Minutes of 3/8/2016 and the Informal Minutes of 03/12/2016 with changes made by Doris Marsh and Jim Forrester. The motion was made by Bill Mann seconded by Doris Marsh and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD

Councilperson Doris Marsh re-addressed the number of hours of training recorded with the county for all planning and zoning board members. Mark Mullikin stated that our PB and ZBA members need to complete their training and make up for the years they did not complete for their annual four hour training. The County says it is up to us on how to handle the situation, but if this is not addressed it leaves an opportunity for a resident to challenge a PB or ZBA member's decision due to lack of training. Mark goes on to say our PB and ZBA members can go to any Livingston County planning board meeting and get their credit hours or webinars options. Mark states they could complete

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their training in one day, and if they do not make training hours the board can ask for their resignation.

EXEMPT REFERRAL

Supervisor Walker addressed a letter from Livingston County Planning Department, Supervisor Walker explained the letter presents an offer to Village and Town of Nunda to exempt referral of certain zoning and subdivision applications from County Planning Board Review. Supervisor Walker recommended they sign the agreement with the County as it would be very helpful rather than the former streamline process.

A motion was made to accept Supervisor Walker's recommendation to sign and accept the resolution presented by Livingston County Planning Department. Motion was made by Jim Forrester, seconded by Mike Hillier, and carried 5-0.

ZONING BOARD APPEALS

None

CHANGES TO AGENDA

Supervisor Walker asked the board members if there was a need to make any changes to the agenda. None were stated.

Darren Snyder entered meeting at 7:06 PM

PRIVILEGE OF THE FLOOR

STEVE GELSER Steve addressed the Board with an update of the Water and Sewer expansion at his house on State Rte. 436, Steve states he received the approval letter from Nunda town and village to proceed in drilling under the road and will be proceeding to do so. Steve asks who is responsible for restoration? Rick Moran answered, stating that Troy and he do as much as they can. Rick stated that he acknowledges the state of Steve's front lawn affected by the end of area to the water and sewer project but it is important to get utilities done first before tending to that issue.

Steve stated he is signing the agreement with Village Clerk, Roy Wood, tomorrow. Supervisor Walker thanked Steve for updating the board on his progress.

BOB COX

Village Mayor Bob Cox addressed the board giving each member a hand out in regards to the village well property located on South State Street, Tax Map #184.-1-37. Bob states that the Village would like to have that well annexed into the Village. The front page of Bob's hand out covers the definition of an Annexation of uninhabited territory belonging to a city or a village by General Municipal Law § 706. Bob states that this well fits the description of the law well and a resolution was made at last night's Village Board meeting to present the Town Board with for their approval. Councilperson Jim Forrester asked what's Bob's objective? Bob answered that it is their water source and therefore would like it in as part of the Village. Right now they are paying taxes on it to the Town. Councilperson Doris Marsh asked if it was useable

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water? Bob answered yes, but it is expensive so it is their back up water source. Bob goes on to state this has been on their agenda for several years, it is in the best interest for the public.

COMMUNICATIONS

Supervisor Walker reviewed the following communications:

i. Annual Financial Report for the Town of Nunda

Supervisor Walker presented a copy for the board to share and look over and come up with any questions for next month's meeting.

BUDGET REPORT &

SUPERVISORS STATEMENT

It was discussed whether certain vendors like Selective insurance should be paid monthly or as a lump sum in the future. Line items on the police budget were discussed; both situations will be addressed with the Town's book keeper.

There was a motion to approve the Supervisors' statement and budget report for the month of March, 2016. The motion was made by Bill Mann, seconded by, Mike Hillier and carried 5-0.

AUDIT BILLS

There was a motion to approve the Abstracts for the month of April, 2016. These abstracts include; General Fund Claim number, 76-107 in the amount of \$12,360.92, as set forth in abstract No. G-4, dated 04/12/16 , Highway Fund Claim number 73-99 , in the amount of \$38,571.22 , as set forth in abstract No. H-4, dated 04/12/16 , and Police Fund Claim number, 20-26 in the amount of \$2,452.73 as set forth in abstract No. 4, dated 04/12/16. The motion was made by Jim Forrester, seconded by, Doris Marsh and carried 5-0.

CEO

Mark Mullikin addressed the board members, stating there has been a big increase in phone calls for refinancing houses to know what district they are in. Mark spoke with Chris Sweeny in regards to Arrow mark in Dalton being switched to Express Mart. There will be no changes to building signs and no permit will be needed. Mark stated that he just attended a Building officials Association conference for the yearly code updates and training, Mark comments there have been a lot of new updates to NYS code and the state adopted an international code which will in turn make New books and supplements for the town office. Although since Mark has previously filed annual reports, the town will not have to purchase these books, they will just be given. Mark spoke with his committee members about availability to meet with them and going over his reports.

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HISTORIAN

Valerie Griffing submitted her written March report. Val attended Jane Oakes presentation on early women doctors in the area which included the mention of Nunda's Dr. Fidelia Whitcomb. The Nunda historical Society had an open house on April 3rd, exhibiting 1930's & 1940's. The historical exhibits open by decade or era; it is very well put together, if anyone has the opportunity they should go. It is open from April – October Sundays, 2:00 PM – 4:00PM or by appointment. Tom Cook is their president; Val stated that Tom had a lot to do with this progression.

ASSESSOR REPORT

Brian addressed the board stating that he is finishing up the 2016 assessment roll. Brian announced a change to Star exemption, it has been changed to income based rather than property assessment. It will be in effect 2016-2017 school year. Brian stated he attended a class on solar panel evaluation through the NYS Assessor Association. Brian handed Cheyenne a voucher to pay a third of the NYSAA dues that is split between Mount Morris, Portage and Nunda.

Supervisor Walker asked Brian his option on the best avenue for the bus garage/Burt's Busy Bee's to get Nunda Mustard back in Nunda.

Brian stated that there is the Precision, PSI and Pheasants automotive building. The Precision and Pheasants are similar, PSI has no water. Brian approached this situation with a Sales Comparison Approach and Comparable Assessments; through this Brian put his assessment at \$25.00 per square foot for 4,000 feet for a figure of \$100,000 for the Bus Garage. The whole building is 6,844 feet.

Jim stated that the bus garage sits in a flood plan and that with the location it's hard pressed to sell. Brian stated that Nunda Mustard could apply for a business improvement exemption if improvements are made to the building; the whole building is assessed at \$195,000, he only taxed on the space they would be using, i.e. \$100,000. Doris and Jim stated they thought that assessment was too high.

Brian stressed that he needs a comparable building with sales information to reconfigure his assessment, he is willing to work with the current assessment but he has to stay fair to the Nunda tax payers. Councilperson Bill Mann asked Brian if he could look for somewhere else available in Nunda in the next week. Brian answered that he would.

Supervisor Walker asked Brian if he could put in writing the information from tonight regarding the comparison of pheasants and PSI for our joint meeting this coming Saturday the 23rd? Brian answered sure.

Supervisor Walker voiced her appreciation of Brian's work on this project.

Brian Knapp left meeting at 8:12 PM.

YOUTH

Doris reported that she is preparing for the Livingston County teen recognition dinner, there will be 78 students from our county attending.

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With Prom coming up Doris announced there is a prom program called “Cool ride” where owners of antique cars are volunteering to escort prom dates to and from prom in their antique cars. There is another program coming up called “Project sticker shock” where they will be putting sticker on alcoholic products in coolers to make them more noticeable. The Social Host meeting is coming up on April 28th.

POLICE

Mike handed the monthly police reports to each Board Member. Councilperson Mike Hillier’s reviewed his discussion with the Chief last night, during this discussion Mike informed the Chief that the Village and Town Police Commissioners were not supporting the action of applying for the cops grant; the Chief disagreed and stated he would proceed with the grant anyway. A motion was made to find this action from Chief Wilcox an act of insubordination. Motion was made by Jim Forrester, and seconded by Bill Mann, and carried 5-0. A motion was made that no individual Town Councilperson will sign this cop grant on behalf of the Nunda Town Board. Motion was made by Mike Hillier, seconded by Bill Mann and carried 5-0. It was addressed to the Village Mayor Bob Cox and Village Trustee Darren Snyder present, to consider a similar motion with their Village Board.

CEMETERY REPORT

No report.

IT REPORT

No report.

COMMERCE REPORT

Already having been discussed earlier with Brian, there was nothing more to report but the New Vet Clinic open house on April 16th. Several board members stated they plan on going.

BUILDING/ZONING REPORT

Doris addressed the board that Mike Hillier and she have been reviewing the two Nunda security systems vendors, ADT and Tyco. Doris stated that when looking through paper work with a representative from General Security, they found opportunities depending on if our security equipment is leased or owned. Mike Hillier stated that the town did have a five year contract that expired. The Town could get brand new equipment with a free 1st year service agreement, and then a \$600 – 800 annual rate which is cheaper than at the rate of that 5 year contract previously had. Supervisor Walker stated that she had Cheyenne look up the yearly spending on Tyco going back to 2013, the annual spending went as follows:

2013: \$4,793.20
2014: \$9,121.19
2015: \$1,471.66

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2016: \$4,282.37

Mike Hillier stated if we own equipment, general can tie into it with no cost to us but we need a document that says we own the equipment.

Doris stated that she thinks we have been over charged in previous years, and the general security representative she has been working with thinks so too.

Supervisor Walker stated that according to the town abstracts say they have spent \$20,000 back to 2013.

Doris stated that general security said we could get 4 portable panic buttons for \$75 per unit if all our equipment is ours and Tyco will do the same for \$1,150.00.

Jim suggested touching base with former Supervisor, Tom Baldwin, in regards to our security systems agreements and payments in the past.

Supervisor Walker thanked Doris and Mike for their efforts and research on this project.

Supervisor Walker stated that she received a call from Michele Seifried asking about having high school students complete their community service hours by attending to the gardens around the Government Center. Michele wondered if she could receive supportive funding from the town to buy mulch.

Rick stated that Michele has already reached out to him for supplies to help with this service and he has provided her with weed protector but he had heard nothing about Mulch.

Doris stated that the year was split with the maintenance services between the town and village. The Town has the winter months and the Village the summer. Supervisor Walker responded that service does not include gardening. That has always been a personal contribution.

Rick stated that they need about 3 to 4 yards of Mulch at \$50.00 per yard.

It was agreed without motion to give mulch to Michele Seifried for the garden beds at the Government Center.

HIGHWAY

Jim stated that Rick, Merilee, and he met to look over the budget this week. CHIPS allocation was a part of this, Rick stated that they had \$28,936.00 gained in CHIPS, although they are still paying off truck so that money will be offset. Supervisor Walker asked if any could be carried over from last year?

Rick answered no, with CHIPS money you have use it or you lose it. As far as summer work, Rick has culverts to change on Scipio Road and black top plans coming up. There are a few bad spots in the roads for the highway crew to dig up. The gravel roads held up well, only minor work needed. Tri County needs to be paved but Rick needs to know where the money is budgeted for that.

Jim Stated that Supervisor Walker is meeting with the Teamsters Union and council tomorrow night at the Government Center. This is an unofficial meeting that will lack a quorum.

ONE MOTION

A motion was made to accept all board reports given on 04/12/2016. Motion was made by Jim Forrester, Seconded by Doris Marsh, and carried 5-0.

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- OLD BUSINESS The \$500 given to the Dalton Cemetery was discussed.
Bob Cox stated that the Town and Village need to sit down together with the attorney about the zoning changes.
- NEW BUSINESS Doris stated that Clean Up day is scheduled from May 14th, 9am – 1pm. Tim Cassidy asked if there would be a vendor for hazardous material this year as a lot of residents have been asking. Supervisor Walker stated that the shopper will list what they can and can't bring to Clean Up day. GLOW in Batavia can take hazardous material that we cannot, you just make an appointment and they take care of it.
- CLERK REPORTS Cheyenne submitted the monthly Town Clerk Report, and Justice Report to the Nunda Town Board. Cheyenne informed the board that tax season was successfully closed out April 7th at the treasurer's office; all the checks to the supervisor and treasurer have been made and the tax bank account zeroed out as it should. A motion was made to approve the Town Clerk and Justice Reports for the month of, March 2016. The motion was made by; Bill Mann seconded by, Mike Hillier and carried 5-0.
- EXECUTIVE SESSION 8:57 PM - A motion was made to go into executive session to discuss personnel issues. The motion was made by Jim Forrester, seconded by Bill Mann, and carried 5-0.
- Tim Cassidy, Mark Mullikin, Val Griffing, Alex Pierce and Rick Moran left the meeting at 8:58 PM
- Cheyenne DeMarco, Darren Snyder and Bob Cox were approved to stay.
- 9:36 PM - A motion was made to come out of executive session. The motion was made by Doris Marsh, seconded by Bill Mann, and carried 5-0.
- It was discussed that Mike Hillier would create a letter to be addressed to the Chief.
- ADJOURNMENT Being that there was no further business, there was a motion to adjourn. The motion was made by Bill Mann, seconded by Mike Hillier, and carried 5-0.
- The meeting adjourned at 9:39 PM.

RESPECTFULLY SUBMITTED,

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CHEYENNE DEMARCO
NUNDA TOWN CLERK